



**Office of Local Programs  
Procedures Development Office**

**Plans, Specifications & Estimates (PS& E)  
Process Review 98-01  
Contract Provisions Required by FHWA**

**FINAL REPORT**

Recommended Approval:

Original signed by John Garlock  
Office Chief

Approved:

Original signed by Alan P Glen  
Assistant Program Manager  
Design and Local Programs

Date: September 25, 1998

## Summary Sheet

The goal of this review was to determine if the procedures, Office of Local Programs (OLP) implemented after last year's PS&E process review, had reduced the number of local agencies who were eliminating (all or part of) the required Federal contract provisions from their Federal-aid project PS&E packages. This review found that:

- Just under 40% of those PS&E packages, that were reviewed either by the districts or the Process Review Engineer (PRE), were found to have at least one major project deficiency. This deficiency rate is higher than what was found as part of last year's PS&E process review where 25% of the PS&E packages were found to have at least one major project deficiency. However, the average number of major project deficiencies, per project found this year, was much lower than what was found in last year's PS&E process review.
- The major cause of the high deficiency rate can be traced back to a lack of "Quality Control" on the part of the local agencies. Local agencies are not reading through instructions when filling out the checklists. A few other local agencies are having problems because of the newness to Federal-aid programs and are overwhelmed by all the requirements.
- Many of the major project deficiencies were found in the "Federal Wage Rates" section.
- District Local Assistance Engineers (DLAEs) were accepting checklists where there were obvious errors and omissions on the checklists.
- The local agencies, with alternative PS&E procedures, had major project deficiencies.

In considering the results of the survey, there are four recommendations presented in this report:

1. Require the DLAE to review and accept a minimum of one PS&E package, that a local agency has submitted with the "Request for Authorization" for construction, during each state fiscal year.
2. The Federal "10-day rule" requirement for the Federal wage rates should be included in the *Local Assistance Procedures Manual* (LAPM) under Section 12-24, "Federal Wage Rates," and should be included as a note on the PS&E checklist under the "Federal Wage Rates," check-box.
3. The local agencies, with alternative PS&E procedures, should be required to revise and resubmit the "Alternative PS&E Certification Procedures" in accordance with the existing agreement.
4. Repeat the post-audit portion of this process review again next year.

## **A. BACKGROUND**

Process Review 96-01, "PS&E - FHWA Required Contract Provisions and Method of Construction," was conducted last year and entailed District Local Assistance Engineers (DLAEs) review of local agencies' contract documents. The reviews were a check to make sure that local agencies had physically incorporated the Form FHWA-1273, and other selected Federal contract provisions, into the Federal-aid contracts. The DLAEs had nine items to check in the local agencies' contract documents. The reviews were conducted between December 1, 1996 and February 28, 1997. The reviews found that close to 25% of the contract documents did not include some or all of the required Federal provisions which is considered a major project deficiency.

As a result of the findings in the Process Review 96-01, the LPP 97-03, "Revised PS&E Procedures," was issued on July 1, 1997. The revised procedures included the following:

- A new "Federal Contract Provisions Checklist" (copy attached) with step-by-step instructions to help local agencies determine which Federal contract provisions are required for their projects.
- A requirement that the "Federal Contract Provisions Checklist" be submitted with the PS&E Certification.
- A stipulation that the DLAE will not forward for approval, to Office of Local Programs (OLP) prior to accepting the checklist, the local agencies' "Request for Authorization" for construction.
- Samples of all the required Federal contract provisions that were made available.
- Instructions on how to obtain a complete sample set of "Boiler Plate" contract documents from Caltrans' Local Programs web site on the Internet.
- A requirement that the DLAEs will review, for acceptance, each checklist to ensure that the local agency has completed the form in accordance with the new procedures. In addition, it is expected that the DLAEs will inspect, for acceptance, at least one contract document per year for each local agency.

The LPP 97-03 also states that a follow-up process review would be conducted to review how the new procedures are being followed. This process review will be conducted on the more traditional "post-audit" basis.

Near the end of the review period for 96-01, the "Federal Wage Rates Availability," LPP 97-01, was issued to provide local agencies, free of charge, the most current and up-to-date Federal wage rates via OLP's Internet web site. Previously, most local agencies would obtain hard copies of the wage rates from the district Local Assistance offices.

## **B. OBJECTIVE OF REVIEW**

The objective of this review was to monitor that local agencies are using the new “Federal Contract Provisions Checklist,” and procedures, in accordance with the instructions. If not, identification must be made of the problems and why they exist. Also, the objective was to measure the checklist’s effectiveness in reducing the number of major project deficiencies found in last year’s PS&E process review.

This review also looked at the impact on the DLAEs. For instance, what is the frequency of inspection of local agencies’ PS&E packages by the Local Assistance offices under the new procedures? And, what is the average time required to inspect contract documents and to review a “Federal Contract Provisions Checklist” under the new procedures?

## **C. REVIEW APPROACH**

This review involved two separate reviews, one a random post-audit spot-check of contract documents for those local agencies that received “Authorization to Proceed” for construction, after October 1, 1997 (Post-audit review was not part of Process Review 96-01). The second review required the districts to inspect all local agencies’ contract documents prior to issuance of an “Authorization to Proceed” for construction. Both reviews used the “Federal Contract Provisions Checklist” as the survey form. The four-page checklist involved 17 to 25 items that needed to be verified depending on the type of project the local agency was submitting. This was a more in-depth survey than what was done as part of Process Review 96-01.

### **Post-Audit Survey**

A post-audit review was done on projects that had already received “Authorization to Proceed” for construction. Selected local agencies’ “Federal Contract Provisions Checklist” and contract documents were reviewed by the Process Review Engineer (PRE). The PRE reviewed for compliance with Federal requirements, and checked to see if the local agencies and the districts are completing the checklist in conformance with required procedures. Projects were randomly selected from the Federal-Aid Data Systems (FADS). The random sample list was made from a list of all projects, that received “Authorization to Proceed,” for construction from October 1, 1997 until the present. The list contained 120 projects - 14 projects were selected from the list for review. The districts were required to obtain and submit, to the PRE, copies of the “Federal Contract Provisions Checklist,” and contract documents, for those projects selected in the district. When major project deficiencies were found, DLAEs were notified about the deficiencies and advised that the local agencies need to be notified to correct the deficiencies. The local agencies were able to correct the major deficiencies with no loss of Federal funds to the local agencies.

### **Districts Survey**

From February 1, 1998 to March 31, 1998, the districts were not given an option on their acceptance of local agencies' "Federal Contract Provisions Checklist." Instead, the districts were required to inspect the local agencies' contract documents when the local agency submitted their "Request for Authorization" for construction. The districts also were required to submit, to the PRE, each "Federal Contract Provisions Checklist" reviewed during the processing of the local agencies' "Request for Authorization" for construction. The districts were to indicate deficiencies on each checklist and also note (next to their signature) the amount of time they spent on the inspection. When deficiencies were found, the districts (who reviewed) returned the "Federal Contract Provisions Checklist" and PS&E package to the local agency for correcting the deficiencies. Districts did not transmit the E-76 to OLP at this time. The districts continued to inspect other contract documents (and fax checklists), submitted by the local agency during the review period, until a "Federal Contract Provisions Checklist" and contract documents, without deficiencies, were received. Once a satisfactory "Federal Contract Provisions Checklist" and contract documents were received from a local agency, the districts could return to the previous method of acceptance of the checklist for that local agency. The OLP Area Engineers monitored the checklists (by not processing the E-76 for a local agency) until a checklist free of deficiencies, for that local agency, was submitted.

## **D. FINDINGS, OBSERVATIONS AND RECOMMENDATIONS**

### **FINDING 1:**

#### **Districts Survey**

Just under 40% (13 out of 34) of those PS&E packages that were reviewed by the districts were found to have at least one major project deficiency that required the PS&E packages to be returned to the local agencies to correct the deficiencies.

A major project deficiency is defined as an error of commission or omission which would violate Federal/State law, or regulation, and if uncorrected, it would prevent Federal or State participation in all or a portion of the project.

A spreadsheet is attached showing the local agencies, that were reviewed, and the survey results. Table 1 is a comparison of the number of local agencies who had major project deficiencies on the Process Review 96-01 versus the Districts Survey and the Post-Audit Survey. Some local agencies had more than one major deficiency.

## Post-Audit Survey

Just under 40% (5 out of 14) of those PS&E packages that were reviewed by the PRE were found to have at least one major project deficiency. Since these projects had already been authorized for construction and most were already under construction, the DLAEs were notified about the major deficiencies. The DLAEs notified the local agencies about the deficiencies and advised the local agencies that contract change orders (cco) must be executed, to correct the deficiencies, or loose Federal funds for the projects. All the local agencies executed a cco to correct the deficiency. There was no loss of any Federal-aid funding to any local agency.

A spreadsheet is attached showing the local agencies that were reviewed and the survey results. Below is a comparison of the number of local agencies who had major project deficiencies on the Process Review 96-01 versus the Post-Audit Survey and Districts Survey. One local agency had more than one major deficiency on the Post-Audit Survey.

**Table 1**

	PR 96-01	Districts Survey	Post-Audit	
<b>Total number of local agencies surveyed (A)</b>	<b>45</b>	<b>34</b>	<b>14</b>	
<b>Number of projects with at least one</b>				
<b>Major Project Deficiency</b>	<b>11</b>	<b>13</b>	<b>5*</b>	
<b>% of projects with al least one</b>				
<b>Major Project Deficiency</b>	<b>25%</b>	<b>40%</b>	<b>40%</b>	
<b>Major Project Deficiency - Omission</b>	<b>Number of local agencies that did not include:</b>			
	<b>PR 96-01</b>	<b>Districts Survey</b>	<b>Post-Audit</b>	
Sec.**			<b>DR</b>	<b>DA</b>
B. Form FHWA-1273	4	2	1	0
C. Noncollusion Certification	3	0	1	0
C. Lobbying Certification	5	3	0	0
C. Debarment Certification	5	0	0	1
D. Liquidated Damages	3	1	0	0
F. Buy America Requirements	6	0	0	0
H. Federal Wage Rates	9	4	1	2
<b>Total number of Major Project Deficiencies (B)</b>	<b>35</b>	<b>10</b>	<b>6*</b>	
<b>Average number of Major Project Deficiencies</b>				
<b>per project (B÷A)</b>	<b>.77</b>	<b>.29</b>	<b>.43</b>	

(DR – District reviewed and accepted PS&E package and Checklist)

(DA – District reviewed and accepted Checklist – did not review PS&E package)

(\* One local agency's only Major Project Deficiency was not including a OJT Trainee goal in their contract)

(\*\* Federal Contract Provision Checklist – Sections)

**OBSERVATION :**

More items of major project deficiencies were found in this review because it involved a more thorough check of the local agencies' PS&E packages than the PS&E Process Review 96-01. In the above table, the number of major project deficiencies found in each project, that had deficiencies as part of this process review, was less severe than found in PS&E Process Review 96-01. Process Review 96-01 found that eight local agencies did not include several or all of the Federal required forms. Four local agencies did not include FHWA Form 1273. And nine local agencies did not include the Federal wage rates. This review found that six local agencies did not include just one (or a few) of the Federal required certifications or forms - one local agency forgot to include the Federal wage rates (six included the wrong wage rates) and one local agency did not include the FHWA Form 1273 (two included outdated version). Requiring the local agencies to complete the Federal Contract Provisions Checklist has helped to reduce the omission of Federal required contract provisions, forms, and wage rates from the local agencies' contracts.

Many of the major project deficiencies found by the districts were in the DBE requirements. Nine PS&E packages had to be returned to insert the missing contract provisions and to update the DBE information on the checklist. The DBE provisions and information was not counted as a deficiency in the PS&E Process Review 96-01 and was not looked at thoroughly. It was only an informational item during the review.

While the number of the omissions and errors on each project has decreased, a high deficiency rate remains - with 40% of the projects reviewed continuing to have major deficiencies. Part of this can be traced back to a lack of "Quality Control" on the part of the local agencies. Some local agencies are obviously not taking the time to read through the Federal Contract Provision Checklist, and instructions, when they prepare their contract documents and complete the checklist. A few others are having problems because they are new to Federal-aid programs and are overwhelmed by all the requirements.

**FINDING 2:**

The average time required for the districts to review the checklist, and verify that the provisions indicated on the checklist are included in the contract documents, was just under one hour. The times varied, from 15 minutes (for a recheck) to four hours, to review a PS&E package with numerous deficiencies.

The post-audit review found that on three of the 14 projects, the districts had inspected the PS&E packages to make certain of what was checked off on the checklist was also included in the PS&E package.

**Office of Local Programs**  
**PS&E Process Review 98-01**

The districts were polled, several months after the survey period, to see what district-policy was used for reviewing the PS&E packages against the PS&E checklists. Most districts now have a policy to review the PS&E packages on a regular basis. The frequency of reviews vary from district to district. Some districts review, as a minimum, one PS&E package per agency, per year, while other districts review all the PS&E packages they receive. Several of the districts implemented this policy after doing the district survey reviews. Only one district has a policy of not reviewing any of the PS&E packages against the PS&E checklists.

**OBSERVATION:**

For those PS&E packages and checklists where there were no errors and omissions, the average district review time was 30 minutes. As the errors and omissions increased, so did the time required for review and inspection.

When deficiencies were found during the post-audit review, the districts were required to spend an hour, to several hours, working with the local agencies to correct the deficiencies. Time correcting these deficiencies would be better spent up front, making sure the PS&E package is complete at authorization, rather than after the project is awarded. This has been proven in the districts that continued to have a policy of reviewing local agencies' PS&E packages on a regular basis. The district that continued to do PS&E reviews had fewer deficiencies than those districts that did not do reviews on a regular basis.

**FINDING 3:**

A review of the checklists by the PRE found that some DLAEs were accepting the checklists with errors and omissions on them. Submitting checklists with errors and omissions is a procedural deficiency on part of the local agency.

A procedural deficiency is defined as a finding that a local agency's practices and procedures fail to demonstrate sufficient familiarity for acceptable levels of conformance. This level of conformance with procedures and required certifications is defined in the Local Assistance Manuals. When procedural deficiencies are found, the local agency is to be notified that certifications for future projects may be conditioned, or not accepted, until deficiencies are corrected.

Five out of 14 checklists reviewed as part of the post-audit review, contained procedural deficiencies. Also, five of the 34 checklists (accepted by the districts) that were submitted to the PRE as part of the district review, contained procedural deficiencies. Some of the projects that had major procedural deficiencies also had procedural deficiencies; likewise, some of the projects that did not have major project deficiencies had procedural deficiencies. Listed below are the procedural deficiencies that were found.



### **Procedural Deficiencies**

- No page numbers on the checklist.
- Same page number on the checklist for different forms.
- Not modifying FHWA Form 1273 when the project is not on a Federal-aid route.
- Not checking the boxes on the checklist.
- Putting the wrong page number on the checklist.
- Not completing the DBE information box.
- Checking too many boxes that result in conflicting statements.
- Including poor copies (almost illegible) of Federal required provisions in the contract.

### **OBSERVATION:**

As noted in the observation of Finding #1, part of the problem can be traced back to a lack of “Quality Control” on the part of the local agencies. Some local agencies are not taking the time to read through the Federal Contract Provision Checklist and instructions, nor are they taking the time to prepare their contract documents and complete the checklist as required. A few other are having problems because they are new to Federal-aid programs and are overwhelmed by all the requirements. This observation is based on the number of ISTEA Federal-aid projects that a local agency had processed.

### **RECOMMENDATION:**

The overall quality of the PS&E checklists submitted to Caltrans, by the local agencies, needs to be improved (Federal Contract Provisions Checklist has been combined into the PS&E Checklist). It needs to be emphasized to DLAEs that they should not accept PS&E checklists (and other checklists and documents) from local agencies that contain errors or omissions. Checklists and documents found to contain errors or omissions should be returned to the local agency for correction.

By accepting a checklist with errors or omissions, the DLAE is only causing more work for themselves by making it harder for them to review the PS&E package. Also, errors or omissions on the checklist could be an indicator of a major project deficiency within the PS&E package. As noted in the observation of Finding #2, not catching a deficiency early in the process results in more work later when the deficiency is found.

To improve the quality of the PS&E packages, each fiscal year, the DLAE should be required to inspect the specification portion for all PS&E packages, that a local agency submits, until one package is found without any deficiencies. Once the DLAE has found that a local agency has submitted a PS&E package without deficiencies, the district would have the option to continue to inspect the PS&E packages or just accept the PS&E checklist for that local agency. Copies of the PS&E checklists, reviewed and accepted by the DLAEs, shall be sent to the PRE for use in next year’s PS&E process review.

**FINDING 4:**

Many of the major project deficiencies were found in the “Federal Wage Rate” section. Those deficiencies included inserting outdated wage rates, not using the prescribed wage rates for their county, and not including the wage rates in the PS&E package.

**OBSERVATION:**

Not including the Federal wage rates or using the wrong wage rates prescribed for their county is caused by of lack of Quality Control on the part of the local agency. The recommendation for Finding #3 should help correct this situation.

Out-dated Federal wage rates, included in the contract, could be caused by a lack of knowledge of the Federal requirements on the part of the local agencies. Most of the local agencies were aware of the Federal requirement that the Federal wage rates are to be physically incorporated into the contract document. What they might not be aware of is the Federal “10-day rule.”

Ten days prior to bid opening, local agencies are required to check to see if the Federal wage rates have been updated (For California, local agencies are required to check OLP’s web site ten days prior to bid opening to see what is the latest listing for their county). If the wage rates have been updated, then the local agency is required to put out an addendum to include the new Federal wage rates into their contract. This requirement is not mentioned in LPP 97-03 nor the new *Local Assistance Procedures Manual* (LAPM). The “10-day rule” is mentioned on OLP’s Federal wage rates web site.

Process Review 96-01 involved a check to see if Federal wage rates were included. The review was not looking to see if the wage rates were the most current.

**RECOMMENDATION:**

The Federal “10-day rule” requirement for the Federal wage rates should be included in the LAPM under Section 12-24 “Federal Wage Rates” and as a note on the PS&E checklist under the Federal Wage Rates check-box.

**FINDING 5:**

It was found that these local agencies with “Alternative PS&E Certification Procedures, had major project deficiencies (missing Federal forms, outdated versions of the forms, illegal modification to Federal requirements, and inserting outdated Federal wage rates) in their PS&E package.

**Office of Local Programs**  
**PS&E Process Review 98-01**

**OBSERVATION:**

Two local agencies had requested and received exceptions from the requirements to a submit PS&E certification letter (see Exhibit E in LPP 95-07) for their Federal-aid Local Assistance project off the National Highway System. Instead of the PS&E certification letter, both agreed to use "ALTERNATIVE PS&E CERTIFICATION PROCEDURES." The alternate procedures indicates that the Required Federal Contract Provisions are to be included in every project.

**RECOMMENDATION:**

The agreements between the two local agencies and Caltrans states that "where minor deficiencies are found, the use of any form of PS&E certification for future projects may be conditioned or not accepted until deficiencies are corrected," and "when the new *Local Assistance Procedures Manual* (LAPM) is published, the State will determine if the ALTERNATIVE PS&E PROCEDURES must be revised and resubmitted." Since the new LAPM became effective July 1, 1998, it is recommended that the two local agencies revise and resubmit the ALTERNATIVE PS&E CERTIFICATION PROCEDURES in accordance with the existing agreement.

The new certification should outline how the local agencies are going to improve the quality of the PS&E packages to conform with Federal-aid requirements.

**RECOMMENDATION:**

Repeat the post-audit portion of this process review again next year to check to see if implementation of the recommendations has helped to improve the quality of the local agencies' PS&E packages and the PS&E checklists.

Attachments

## FEDERAL CONTRACT PROVISIONS CHECKLIST

This form is to be completed by the Local Agency and attached to the PS&E Certification. (Replaces "Specifications Checklist" on Page 4 of LPP 95-07, Attachment 7, Exhibit E). See Attachment II for Instructions. The referenced Exhibits are included in Attachment II.

Federal-aid Project No. \_\_\_\_\_ Date \_\_\_\_\_

**A. GENERAL FEDERAL REQUIREMENTS** (Check appropriate box and indicate page number.)  
Page No. \_\_\_\_\_

☐ Caltrans SSP - *SECTION 14. FEDERAL REQUIREMENTS FOR FEDERAL-AID CONSTRUCTION PROJECTS* (Exhibit A, FR-1 & FR-2) is included..... \_\_\_\_\_

☐ Equivalent provisions are included..... \_\_\_\_\_

**B. FHWA FORM 1273**

**1. Incorporation of FHWA Form 1273 into Contract** (Check appropriate box and indicate page number.)  
Page No. \_\_\_\_\_

☐ An unmodified copy of FHWA Form 1273 *REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONSTRUCTION CONTRACTS* (Exhibit B, FR-3 thru FR-14) has been physically incorporated into this contract..... \_\_\_\_\_

☐ A modified copy of FHWA Form 1273 *REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONSTRUCTION CONTRACTS* has been physically incorporated into this contract..... \_\_\_\_\_

**2. Modification of FHWA Form 1273** (Complete this section if the form has been modified.)

Project cost \_\_\_\_\_

Is the project on a Federal-aid Route? (See Note)

☐ Yes

☐ No

Is the project on the NHS?

☐ Yes

☐ No

Note: All public roads other than those functionally classified as local roads or rural minor collectors are considered Federal-aid Routes. See Chapter 3 "Federal-Aid Routes and Functional Classifications" in the *Local Assistance Program Guidelines* .)

**a. Section IV. Payment of Predetermined Wages** (Check appropriate box.)

☐ Section IV has not been modified.

☐ Section IV has been *crossed out/ removed/ specified elsewhere in the contract that it does not apply* (indicate type of modification).

**b. Section V. Statements and Payrolls** (Check appropriate box.)

"We'll Find a Way"

## **Attachment I**

☐ Section V has not been modified.

## Attachment I

- ☐ Section V has been *crossed out/ removed/ specified elsewhere in the contract that it does not apply* (indicate type of modification).

**c. Section VI. Record of Materials, Supplies, and Labor** (Check appropriate box.)

- ☐ Section VI has not been modified.
- ☐ Section VI has been *crossed out/ removed/ specified elsewhere in the contract that it does not apply* (indicate type of modification).

**d. Section VII. Subletting or Assigning the Contract** (Check appropriate box.)

- ☐ Section VII has not been modified.
- ☐ Section VII has not been *crossed out/ removed/ specified elsewhere in the contract that it does not apply* (indicate type of modification).

**C. CERTIFICATION/DISCLOSURE FORMS** (Check if included and indicate page number)Page No.

- ☐ *EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION* (Exhibit C).....
- ☐ *Noncollusion Affidavit* (Exhibit D) .....
- ☐ *DEBARMENT AND SUSPENSION CERTIFICATION* (Exhibit E).....
- ☐ *NONLOBBYING CERTIFICATION FOR FEDERAL-AID CONTRACTS* (Exhibit F).....
- ☐ *DISCLOSURE OF LOBBYING ACTIVITIES* (Exhibit G).....
- ☐ Equivalent provisions (Attach complete listing, including page numbers.)

**D. LIQUIDATED DAMAGES** (Check appropriate box and indicate page number.) Page No.

- ☐ Caltrans SSP *SECTION 4. BEGINNING OF WORK, TIME OF COMPLETION AND LIQUIDATED DAMAGES* (Exhibit I, second page) is included in this contract.....
- ☐ Equivalent provisions are included.....

**E. DISADVANTAGED BUSINESS ENTERPRISE (DBE)**

DBE Annual Goal _____	Date Annual Goal approved by DLAE _____
Project Goal _____	

If project has a specific goal, complete Section 1. If project does not have a specific goal, complete Section 2.

**1. Projects with specific goals.** (Check if included and indicate page number.)

## Attachment I

Page No.

- ☐ Caltrans SSP *SECTION 2. PROPOSAL REQUIREMENTS AND CONDITIONS* (Exhibit  
H. Includes requirements for DBE subcontractor

## Attachment I

listing, Federal Lobbying Restrictions, Disadvantaged Business requirements, and DBE Goal for project.) .....

☐ Caltrans SSP *SECTION 3. SUBMISSION OF DBE INFORMATION AND AWARD AND EXECUTION OF CONTRACT* (Exhibit I).....

☐ Caltrans SSP 5-1. *DBE RECORDS* (Exhibit J) .....

☐ Caltrans SSP 5-1. *PERFORMANCE OF DBE SUBCONTRACTORS AND SUPPLIERS* (Exhibit K).....

☐ Caltrans SSP *LOCAL AGENCY BIDDER-DBE INFORMATION* (Exhibit L) .....

☐ Equivalent provisions (Attach complete listing, including page numbers.) .....

### 2. Projects without specific goals.

(Check box if these requirements are met.)

☐ We have determined that a specific goal is not appropriate for this project. Evaluation documentation that verifies this determination is in accordance with our Annual Plan/Goal is on file.

☐ Special provisions required for a project without specific goals are included in the contract documents.(indicate page number)..... Page No.

**F. BUY AMERICA SPECIFICATION** (Check appropriate box and indicate page number if requirement applies.)

Page No.

☐ Caltrans SSP 5-1. *BUY AMERICA REQUIREMENTS* (Exhibit M).....

☐ Equivalent provisions are included.....

☐ No steel and iron products or coatings thereon, or a minimal amount as described above, will be permanently incorporated in the project. Buy America specifications are not included in contract.

**G. FEDERAL TRAINEES** (Check appropriate box and indicate page number if requirement applies).

☐ The project has less than 100 working days. A Federal Trainee goal and special provisions are not required.

☐ Analysis of the Engineers Estimate has the dollar value under \$200,000. A Federal Trainee goal and special provisions are not required.

☐ Caltrans SSP - *FEDERAL REQUIREMENT TRAINING SPECIAL PROVISIONS* (Exhibit N, FR-15 and FR-16) are included. (The Trainee goal is ..... )... Page No.



## Attachment I

☐ Equivalent provisions are included (The Trainee goal is \_\_\_\_\_ .) .....\_\_\_\_\_

**H. FEDERAL WAGE RATES** (Check appropriate box and indicate page number if Federal Wages Rates are included).

## Attachment I

Page No. \_\_\_\_\_

☐ Federal Wages Rates are physically incorporated in this contract. ....

☐ This project is not located on a Federal-aid Route, Federal Wage Rates are not required.

**I. RELATIONS WITH RAILROAD** (Check appropriate box and indicate page number if special provisions are included).

Page No. \_\_\_\_\_

☐ The required provisions are included. ....

☐ This project does not involve the use of railroad properties or adjustments to railroad facilities.

**J. LOCAL AGENCY SIGNATURE**

This Federal Contract Provisions checklist has been prepared in accordance with LPP 97-03 Revised PS&E Procedures.

Signature: \_\_\_\_\_

Title : \_\_\_\_\_

Date: \_\_\_\_\_

**K. CALTRANS ACCEPTANCE:**

Check appropriate acceptance statement:

☐ I have not personally inspected the subject project PS&E package but I am aware of the scope of the project. I have reviewed the above "REQUIRED FEDERAL CONTRACT PROVISIONS CHECKLIST" and agree it is complete and appears to have been prepared in accordance with LPP 97-03, "Revised PS&E Procedures." (This acceptance does not modify the local agency statement of compliance contained in the PS&E Certification)

☐ I have inspected the specifications portion of the subject project PS&E package and I am aware of the scope of the project. I have reviewed the above "REQUIRED FEDERAL CONTRACT PROVISIONS CHECKLIST" and agree it is complete and has been prepared in accordance with LPP 97-03, "Revised PS&E Procedures." I have also verified that the indicated provisions are included in the specifications. (Except for this limited review, this acceptance does not modify the local agency statement of compliance contained in the PS&E Certification)

Signature: \_\_\_\_\_

Title : \_\_\_\_\_

Date: \_\_\_\_\_

## **Attachment I**

### **Distribution:**

Original submitted to DLAE with PS&E Certification.

Original "Accepted" copy to be retained in DLAE file with PS&E Certification.

One "Accepted" copy to be returned to Local

<b>Note: Local Agencies' name and nu</b>		<b>Federal Contract Provisions</b>																	
<b>were removed so as to not embarra</b>		<b>Checklist Sections (attached)</b>																	
<b>District 1</b>		<b>"1" Indicates Deficiency Found</b>																	
Local Agency	Fed Project #	A	B	C	D	E	F	G	H	I	Returned	Time	DR	DA	DS	techecked			
		Ger FFC/DLiqDBIBuyOJTD/BR/R																	
Local Agency	ER-3204(001)		1									30		1					
<b>District 2</b>																			
Local Agency	Fed Project #																		
Local Agency	BRLO-####(001)											60			1				
Local Agency	STPLE-####(007)											30		1					
<b>District 3</b>		A	B	C	D	E	F	G	H	I	Returned	Time	DR	DA	DS	techecked			
		Ger FFC/DLiqDBIBuyOJTD/BR/R																	
Local Agency	Fed Project #																		
Local Agency	STPLN-DEM-####(010)											30			1				
Local Agency	BRLO-####(010)											60			1				
Local Agency	ER-3242(003)											30			1				
Local Agency	STPLE-####(043)											30			1				
Local Agency	STPLE-####(005)											60		1					
<b>District 4</b>																			
Local Agency	Fed Project #	A	B	C	D	E	F	G	H	I	Returned	Time	DR	DA	DS	techecked			
		Ger FFC/DLiqDBIBuyOJTD/BR/R																	
Local Agency	STPLE-####(015)											30		1					
Local Agency	STPLMA-####(003)				1				1			360			1				
Local Agency	STPL-####(036)											60			1				
Local Agency	STPL-####(005)											30		1					
<b>DR = District Reviewed and accepted PS&amp;E package and checklist - Post Audit</b>																			
<b>DA = District reviewed and Accepted checklist - did not review PS&amp;E package - Post Audit</b>																			
<b>DS = District Survey</b>																			

District 5		A	B	C	D	E	F	G	H	I	Returned	Time	DR	DA	DS	rechecked		
		Ger	FFC	DLic	DB	Buy	OJT	D	BR	R								
Local Agency	Fed Project #																	
Local Agency	CML-####(008)											30			1			
Local Agency	CML-####(008)											30	1					
Local Agency	BRLO-####(014)											60			1			
Local Agency	STPLE-####(001)											60			1			
District 6		A	B	C	D	E	F	G	H	I	Returned	Time	DR	DA	DS	rechecked		
		Ger	FFC	DLic	DB	Buy	OJT	D	BR	R								
Local Agency	Fed Project #																	
Local Agency	STPL-####(126)											35			1			
Local Agency	CMLN-####(044)											120			1			
Local Agency	BRLO-####(007)											25			1			
Local Agency	STPL-####(001)					1					1	25			1			
Local Agency	STPL-####(001)											20			1	1		
Local Agency	CMLG-####(024)							1			1	90			1			
Local Agency	CMLG-####(024)											45			1	1		
Local Agency	STPL-####(004)											30			1			
Local Agency	STPLX-####(004)					1					1	40			1			
Local Agency	STPLX-####(004)											30			1	1		
Local Agency	BRLO-####(054)											60			1			
Local Agency	CML-####(008)											60			1			
Local Agency	STPL-####(045)											30		1				
DR = District Reviewed and accepted PS&E package and checklist - Post Audit																		
DA = District reviewed and Accepted checklist - did not review PS&E package - Post Audit																		
DS = District Survey																		
<b>Note: Local Agencies' name and number</b>																		
<b>were removed so as to not embarrass anyone.</b>																		

District 7		A	B	C	D	E	F	G	H	I	Returned	Time	DR	DA	DS	checked		
		Ger	FFC	DLiq	DBI	Buy	OJT	DR	R									
Local Agency	Fed Project #																	
Local Agency	DBL-####(100)		1		1					1		120			1			
Local Agency	DBL-####(100)											10			1	1		
Local Agency	STPL-####(007)							1				30	1					
Local Agency	BRLS-####(003)						1		1			60			1			
Local Agency	BRLS-####(003)											60			1	1		
Local Agency	STPLE-####(003)											30			1			
Local Agency	STPL-####(234)		1		1			1		1		120						
Local Agency	STPL-####(234)											30			1	1		
Local Agency	STPLHN-####(001)											60			1			
Local Agency	LAFD-DE-0038(811)							1				60	1					
District 8		A <th>B</th> <th>C</th> <th>D</th> <th>E</th> <th>F</th> <th>G</th> <th>H</th> <th>I</th> <th>Returned</th> <th>Time</th> <th>DR</th> <th>DA</th> <th>DS</th> <th>checked</th> <th></th> <th></th>	B	C	D	E	F	G	H	I	Returned	Time	DR	DA	DS	checked		
		Ger	FFC	DLiq	DBI	Buy	OJT	DR	R									
Local Agency	Fed Project #																	
Local Agency	STPL-####(003)		1			1			1		1	60			1			
Local Agency	STPL-####(003)											20			1	1		
Local Agency	STPL-####(003)	1	1	1				1	1			60	1					
Local Agency	STPLX-####(011)	1							1		1	45			1			
Local Agency	STPLE-####(004)	1	1			1					1	60			1			
Local Agency	STPLE-####(004)								1		1	30			1	1		
Local Agency	STPLE-####(004)											5			1	1		
Local Agency	STPL-####(010)			1		1			1		1	90			1			
Local Agency	STPL-####(010)											15			1	1		
Local Agency	STPL-####(003)											45			1			
District 9		A <th>B</th> <th>C</th> <th>D</th> <th>E</th> <th>F</th> <th>G</th> <th>H</th> <th>I</th> <th>Returned</th> <th>Time</th> <th>DR</th> <th>DA</th> <th>DS</th> <th>checked</th> <th></th> <th></th>	B	C	D	E	F	G	H	I	Returned	Time	DR	DA	DS	checked		
		Ger	FFC	DLiq	DBI	Buy	OJT	DR	R									
Local Agency	Fed Project #																	
Local Agency	BRLO-####(008)											60			1			
DR = District Reviewed and accepted PS&E package and checklist - Post Audit <b>Note: Local Agencies' name and number</b> DA = District reviewed and Accepted checklist - did not review PS&E package - <b>I were removed so as to not embarrass anyone</b> DS = District Survey																		

District 10																			
Local Agency	Fed Project #																		
Local Agency	STPL-####(008)										30		1						
District 11		A	B	C	D	E	F	G	H	I	Returned	Time	DR	DA	DS	rechecked			
		Ger FFC/DLiq DBI Buy OJT D/BR/R																	
Local Agency	Fed Project #																		
Local Agency	BRL-####(034)				1						1	55			1				
Local Agency	BRL-####(034)											5			1	1			
Local Agency	CMLN-####(005)											120			1				
Local Agency	CML-####(005)											60			1				
Local Agency	STPLE-####(006)											30			1				
Local Agency	STPLF-####(010)								1			30		1					
District 12		A	B	C	D	E	F	G	H	I	Returned	Time	DR	DA	DS	rechecked			
		Ger FFC/DLiq DBI Buy OJT D/BR/R																	
Local Agency	Fed Project #																		
Local Agency	STPLH-####(031)	1		1	1						1	60			1				
Local Agency	STPLH-####(031)											30			1	1			
Local Agency	STPL-####(015)											90		1					
Local Agency	STPLH-####(002)											30		1					
													3	11	34	12			
Average Time to Review (minutes)												56.32							
Total # Deficiencies per Section		4	3	6	1	9	0	3	10	0									
Total # Checklists Surveyed												48							
Total # Returned to Correct Deficiencies											13								
DR = District Reviewed and accepted PS&E package and checklist - Post Audit																			
DA = District reviewed and Accepted checklist - did not review PS&E package - Post Audit																			
DS = District Survey																			
<b>Note: Local Agencies' name and number</b>																			
<b>were removed so as to not embarrass anyone.</b>																			